Initials: HEW/RHU/sl

Docket No.: 1855.1064-003

Date: 3/5/2004

This is to acknowledge receipt of the following documents each filed under Certificate of Mailing Procedure 37 C.F.R. 1.8:

X Amendment/Reply Fee Letter w/copy

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X AMENDMENT

AMENDMENT AFTER FINAL ACTION

X Copy of Executed Declaration Under 37 C.F.R. § 1.131 W/Exhibit (3 docs, 12 pages)

X Check for \$ 950 Auth to charge fees

REPLY TO OFFICE ACTION

X Other Exhibit A The Journal of Immunology Posting Dates (pp. 1-9)

Applicant:

David P. Andrew et al.

Application No.: 09/522,752

Filed: March 10, 2000

Title: METHODS OF INHIBITING GPR-9-6 FUNCTION (As Amended) MAR 3 &

Date received by the PTO:

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@PPDesktop\:ODMA/MHODMA/HBSR05:iManage;4\$1325,1 HEW/RHU February 23, 2004

PATENT APPLICATION Attorney's Docket No., 1855 1064-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

David P. Andrew, Brian A. Zabel and Paul D. Ponath

Application No.:

09/522,752

Group:

1644

Filed:

March 10, 2000

Examiner: Jessica H. Roark, Ph.D.

Confirmation No.: 4952

For:

METHODS OF INHIBITING GPR-9-6 FUNCTION

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DECLARATION UNDER 37 C.F.R. 6 L 131

Commissioner for Patents P.O. Box 1450 Alexandra, VA 22313-1450

Sir:

We, David P. Andrew, Brian A. Zabel and Paul D. Ponath, hereby declare and state:

09/522,752

-2-

- We produced monoclonal antibody GPR96-1 (mAb GPR96-1) in the United States, and were in possession of the invention claimed in the subject application, before May 11, 1999.
- 2. Evidence is provided in the Exhibit, which is a copy of page 164 of a notebook maintained by inventor David P. Andrew. In accordance with accepted practice, the dates on the copy of the notebook page are masked. (M.P.E.P. § 715.07) In the original notebook, page 164 bears a date of recordation prior to May 11, 1999.
- 3. A manuscript table and a histogram are presented on the bottom half of the Exhibit, which describe the results of a study demonstrating that mAb 3C3 and mAb GPR96-1 inhibited TECK-induced chemotaxis of transfected L1.2 cells that expressed a recombinant human GPR-9-6. The ability of mAb GPR96-1, mAb GPR96-2, mAb GPR96-3, mAb GPR96-5, mAb 3C3, mAb 3B8, mAb 42C and mAb 6G4 to inhibit TECK-induced chemotaxis was evaluated in duplicate wells. Control wells contained no TECK (results presented at top of histogram (-)), or TECK but not antibody (results presented in center of histogram between 3B8 and 3C3 (-)). The manuscript table includes the antibody tested, the number of cells that migrated to the bottom chamber in each well, the average number of cells that migrated and the standard deviation. The results are presented graphically in the histogram, and show that mAb 3C3 and mAb GPR96-1 each inhibited TECK-induced chemotaxis of cells expressing a recombinant human GPR-9-6.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Tirle 18 of the United States



-3-

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

David P. Andrew Ph.D.	March 2 2004
Brian A. Zabel	Date
Paul D. Ponath, Ph D.	- Dare

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T-984 P.21/29 F-615 1-978-341-0242 Aug-05-04 04:08pm From-HB\$R remark Screen TITLE 41.2 GP ROLL Book No._ 104 From Page No. 303 055A 489 10 Bugal 1341 4750 Sp15 6467 gard \$79100 5/707 6045 1443 264 275 725 353 709 1037 E GHUNDS 2 1347 1025 1,60 3/25 103/2 101 - haci 900 1200 GGh MAR NO OF COLD MISTURES To Page No. Date invented by Date ised & Understood by me, Recorded by EXHIBIT PAGE 21/29 * RCVD AT 8/5/2004 4:04:43 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/6 * DNIS:8729306 * CSID:1 978 341 0242 * DURATION (mm-ss):08-54

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A.M.AVH Signature

Shannon Luis Typed or primed name or person signing conflicate

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David P. Andrew Ph.D.

Date

Brien A Zehel

2-26-04

Date

Paul D. Ponath, Ph.D.

Date

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